

DENTAL BOARD[650]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 147.76, 153.15 and 153.33, the Dental Board hereby amends Chapter 10, “General Requirements,” Iowa Administrative Code.

2017 Iowa Acts, Senate File 479, was signed into law by the Governor during the recent 2017 Legislative Session. The law, which went into effect on July 1, 2017, allows dental hygienists to provide educational services without the supervision of a licensed dentist.

These amendments change the scope of practice of dental hygienists to include the provision of educational services without the supervision of a licensed dentist.

Notice of Intended Action was published in Iowa Administrative Bulletin on August 15, 2017, as **ARC 3253C**. A public hearing was held on September 12, 2017, at 2 p.m. at the office of the Iowa Dental Board. There were not any attendees at the public hearing, nor were any written comments received.

The Board reviewed and discussed the amendments during its October 13, 2017, open session Board meeting and, after allowing additional comments from the public, adopted the amendments. These amendments are identical to those published under Notice.

These amendments are not subject to waiver or variance pursuant to 650—Chapter 7.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 153.15 as amended by 2017 Iowa Acts, Senate File 479.

These amendments will become effective January 10, 2018.

The following amendments are adopted.

ITEM 1. Amend subrule 10.3(1) as follows:

10.3(1) “Practice of dental hygiene” as defined in Iowa Code section 153.15 as amended by 2017 Iowa Acts, Senate File 479, means the performance of the following educational, therapeutic, preventive and diagnostic dental hygiene ~~procedures which are~~ services. Such services, except educational services, shall be delegated by and performed under the supervision of a dentist licensed pursuant to Iowa Code chapter 153.

a. to e. No change.

ITEM 2. Amend subrule 10.3(2) as follows:

10.3(2) All authorized services provided by a dental hygienist, except educational services, shall be performed under the general, direct, or public health supervision of a dentist currently licensed in the state of Iowa in accordance with 650—1.1(153) and 650—10.5(153).

ITEM 3. Amend rule 650—10.4(153), introductory paragraph, as follows:

650—10.4(153) Unauthorized practice of a dental hygienist. A dental hygienist who assists a dentist in practicing dentistry in any capacity other than as an employee or independent contractor supervised by a licensed dentist or who directly or indirectly procures a licensed dentist to act as nominal owner, proprietor, director, or supervisor of a practice as a guise or subterfuge to enable such dental hygienist to engage in the practice of dentistry or dental hygiene or who renders dental ~~service(s)~~ services, except educational services, directly or indirectly on or for members of the public other than as an employee or independent contractor supervised by a licensed dentist shall be deemed to be practicing illegally.

ITEM 4. Amend subrule 10.4(3) as follows:

10.4(3) A dental hygienist shall not ~~practice~~ provide services, except for educational services, independent from the supervision of a dentist nor shall a dental hygienist establish or maintain an office

or other workplace separate or independent from the office or other workplace in which the supervision of a dentist is provided.

[Filed 11/13/17, effective 1/10/18]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 12/6/17.